



**Statement of
Robert S. Adler
Commissioner
United States Consumer Product Safety Commission**

**Before the
House Committee on Energy and Commerce
Subcommittee on
Commerce, Manufacturing, and Trade**

**March 5, 2015
Rayburn House Office Building, Room 2322**

“Oversight of the Consumer Product Safety Commission”

Good morning Chairman Burgess, Ranking Member Schakowsky, and the members of the Subcommittee. Thank you for the opportunity to appear along with my fellow CPSC Commissioners today. I am pleased to be here to testify about an agency that I have been associated with in some fashion since its establishment over forty years ago.

At the outset, I would point out that we are the smallest of the federal health and safety agencies, with a current funding level of \$123 million and a staff of roughly 560 FTEs. To put our budget in perspective, I note that for FY 2016, we have asked for an appropriation of \$129 million – an increase of roughly \$6 million. By way of comparison, our sister agency, FDA, has asked for roughly \$4.9 billion in FY 2016, an increase of \$148 million. Or to put it more succinctly, FDA has asked for an increase that is larger than CPSC's entire budget. In fact, as far as I can tell the nearest agency in size and staffing to CPSC is the FTC, whose budget and staff levels are roughly twice that of the CPSC.

Notwithstanding CPSC's modest budget, our jurisdictional scope is extremely wide, encompassing roughly 15,000 categories of consumer products found in homes, stores, schools and recreational settings. Given this broad jurisdiction, the agency has adopted a thoughtful, data-based approach using its highly-skilled technical staff to figure out which products present the greatest risk. And, we address them using our regulatory and educational tools in a way designed to minimize market disruption while always making consumer safety our top priority.

Of course, the CPSC does not operate alone on product safety. We have always sought to make our various stakeholders partners in our quest to reduce or eliminate unreasonable

risks. Included in this group are our friends in the business and consumer communities as well as the various standards development bodies that work closely with the agency.

So, while I would note that much remains to be done, I would also point out that an enormous amount has been accomplished. For example, there has been an estimated 30 percent decline in the rate of deaths and injuries associated with consumer products over the last 40 years. And, I particularly note the dramatic drop in death and injuries to children. We have seen:

- An 83% drop in childhood poisoning,
- A 73% drop in crib deaths,
- An 86% reduction in baby walker injuries, and
- An almost complete elimination of childhood suffocations in refrigerators.

Additionally, on a broader front, we have seen improvements such as 92 percent reduction in fatal electrocutions and a 52 percent reduction in residential fire deaths in the past 40 years. By our calculation, this drop in deaths and injuries has resulted in over \$16 billion in reduced societal costs – producing benefits that dramatically outweigh the pennies per citizen cost of operating the CPSC.

I would also like to mention the tremendous strides the agency has taken to implement the Consumer Product Safety Improvement Act (CPSIA) approved by the House on July 30, 2008 by a vote of 424-1 and signed by President Bush on August 14, 2008. Among the actions taken by the agency in enforcing this law:

- Enforced stringent limits on lead and phthalates in children's products,
- Promulgated the strongest safety standard for cribs in the world,
- Developed implementing rules for the new CPSIA requirement that firms have independent laboratories do third party testing of children's products before introducing them into the US market,
- Made mandatory a comprehensive voluntary toy standard, ASTM F963,
- Written, and continue to write, a series of standards for durable infant products like play yards and strollers,
- Drafted and enforced new guidelines on civil penalties and set broader limits on consumer product recalls, and
- Developed new approaches to catching dangerous imported products, which we hope to expand.

Since I last appeared before this Committee, the Commission has experienced a significant turnover among its members. Although I continue to miss my former colleagues, I am pleased to welcome as new colleagues, Chairman Elliot Kaye, and Commissioners Robinson, Buerkle and Mohorovic. Simply put, they are a joy to work with. They have brought new perspectives and insights that have freshened and sharpened my thinking on issues. And, they have done so with wisdom, energy and good cheer that have brought a new era of civility to the agency. We certainly disagree – vigorously – on some issues, but we also listen to and trust one another in ways that I have not seen for many years at the agency.

Mr. Chairman, I realize that there are a number of issues that concern you and the other members of the Subcommittee, and I join my colleagues in looking to answer any questions you may have regarding the agency's activities in the past years. Before doing so, I would like to reiterate my concern about a set of issues surrounding a critical demographic that I believe has not received enough attention over the past number of years: senior citizens – a group of which I am a proud member. CPSC data show that the second most vulnerable population after kids is adults over 65. And, I note that this is a rapidly growing group due to the aging of the baby boomers and the greater longevity of our citizens. In fact, there are more of us in the over-65 age group than there are citizens in Canada. What is particularly troubling to me, however, is that seniors, while comprising only 13 percent of the US population, account for 65 percent of our consumer product-related deaths. And, by 2020, they—we – will be 20 percent of the US population.

So, given my concerns, while I was Acting Chairman of the agency, I worked with our staff to create a Senior Safety Initiative at CPSC. This initiative focuses on identifying the products that harm seniors disproportionately and seeking ways to provide extra warnings and protections for older Americans. And, I continue to look for useful approaches to help seniors with product hazards, and I hope that this committee will take note of this issue and support the Commission's efforts in this regard.

Thank you for your time, and I look forward to your questions.